

REMARKS

Currently, claims 1, 3-7, and 9-33 remain pending in the present application, including independent claim 1. For example, claim 1 is directed to an absorbent article comprising an outer cover material, a liner, and an absorbent structure positioned between the outer cover material and the liner. The absorbent structure includes a front portion, a rear portion, and a middle portion. The middle portion is positioned between the front portion and the rear portion. The middle portion is narrower than the front portion. The front portion extends from a front edge of the absorbent structure to the narrower middle portion. The front portion defines an outermost lateral periphery and has a width. The absorbent structure further comprises a pair of opposing lateral flaps connected to the middle portion and folded at least onto the middle portion of the absorbent structure.¹ Each of the flaps, when in an unfolded state, extends beyond the outermost lateral periphery. The middle portion has a basis weight where the lateral flaps have been folded that is at least twice the basis weight of the front portion where the flaps are not located. Each of the flaps has a width adjacent to the middle portion that is from about 25% to 100% of the width of the middle portion.

As shown above, claim 1 has been amended to require the limitations of previously pending dependent claim 11. As such, claim 1 also requires that the absorbent structure define a length. The pair of opposing lateral flaps extend only a portion of the length of the absorbent structure adjacent to the middle portion. Thus, the absorbent structure of claim 1 reads on the embodiments shown in Figures 5-17 of the present application.

In the Office Action, independent claim 1 was rejected under 35 U.S.C. § 102(b) in view of U.S. Pat. No. 6,050,984 to Fujioka, et al. However, Applicants respectfully submit that Fujioka, et al. fails to disclose all of the limitations of claim 1.

¹ This limitation has been amended simply to clarify that the pair of opposing flaps are connected to the middle portion of the absorbent structure. Support for this amendment can be found in original claim 11, paragraph 64, as well as Figs. 5-17, of the present application. No new matter has been added by this amendment.

For example, Fujioka, et al. fails to teach that the absorbent structure comprises a pair of opposing lateral flaps connected to the middle portion and folded at least onto the middle portion of the absorbent structure. The Office Action states that Fujioka, et al. discloses an “absorption core 14 comprising a pair of opposing lateral flaps 18a, 20a folded onto a middle portion,” while noting that the middle portion can be either crotch region 19 or the lateral distance between longitudinal fold lines L and L in figure 1A. However, according to amended claim 1, the middle portion is positioned between the front portion and the rear portion. As such, Applicants respectfully submit that the middle portion of claim 1 is analogous to the crotch region 19 of Fujioka, et al.

This interpretation of the meaning of “the middle portion” of independent claim 1 is further supported by reference to the present specification and figures. For example, referring to Fig. 7 of the present application, the middle portion 14 is positioned between the front portion 12 and rear portion 16. The pair of lateral flaps 22 and 24 are each connected to the middle portion 14. See, e.g., Paragraph 64. As required by independent claim 1, the pair of opposing lateral flaps connected to the middle portion are folded at least onto the middle portion of the absorbent structure. Applicants respectfully submit that Fujioka, et al. fails to disclose any opposing lateral flaps that can be folded onto a middle portion.

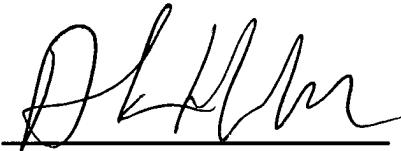
Additionally, Fujioka, et al. fails to disclose that each of the flaps have a width adjacent to the middle portion that is from about 25% to 100% of the width of the middle portion. For example, referring again to Fig. 7 of the present application, the lateral flaps each have a width X, while the middle portion has a width Y. In the embodiment of Fig. 7, the width of the lateral flaps is approximately one half the width of the middle portion 14 (i.e., about 50% of the width of the middle portion). Paragraph 66. In another embodiment, such as the exemplary embodiment shown in Fig. 14, the pair of opposing flaps 22 and 24 have a width X that is substantially the same width Y as the middle portion 14 (i.e., about 100% of the width of the middle portion). Paragraph 72. Applicants respectfully submit that Fujioka, et al. fails to teach or even suggest any such structure.

Furthermore, Fujioka, et al. is directed to a folded absorbent article (e.g. a diaper), as opposed to a folded absorbent structure contained within the absorbent article. As such, Fujioka, et al. fails to recognize several advantages and benefits of the absorbent structure as defined in claim 1. For instance, by having the flaps wider than the outermost lateral periphery of the front portion, the flaps can be easily engaged during production of the absorbent article and folded over onto the middle portion of the absorbent structure. In particular, since the flaps are wider than the front portion, stationary folding guides can be used to easily find and fold the flaps.

In summary, it is believed that the claims as currently pending patentably define over the prior art of record and are in complete condition for allowance. Should any further issues remain, however, then Examiner Hill is invited and encouraged to telephone the undersigned at her convenience.

May 1, 2006
Date

Respectfully submitted,
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